



10/27/04

RCE# Jm

PTO/SB/30 (08-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/356,322
Filing Date	November 24, 1998
First Named Inventor	Brown
Group Art Unit	1631
Examiner Name	Ardin Marschel
Attorney Docket Number	12665.0009.CNUS01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisions Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendments and remarks set forth in the **Supplemental Amendment filed April 30, 2004.**
- ii. ☐ The arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_.
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other An extension of time is requested under 37 CFR § 1.136 for a period of three months.  
Small entity status is claimed for this application.

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 01-2508/12665.0009.CNUS01
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$395.00
- ii. ☒ Fee for three month extension of time \$490.00
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ Enclosed

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Janelle D. Waack	Registration No. (Attorney/Agent)	36,300
Signature		Date	October 26, 2004

## CERTIFICATE OF EXPRESS MAIL

I hereby certify that this paper is being deposited on October 26, 2004, with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, bearing Express Mail No. EL 831817048 US, and is addressed to Commissioner For Patents, Mail Stop RCE, P.O. Box 1450 Alexandria, VA 22313-1450.

Name (Print/Type)	Martha Knight	Date	October 26, 2004
Signature			

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